



U.S. Department of Justice

Federal Bureau of Investigation

In Reply, Please Refer to
File No.

58A-NY-278417

26 Federal Plaza
New York, New York 10278

February 16, 2001

UNSUB(S);
WILLIAM J. CLINTON - FORMER U.S. PRESIDENT;
[REDACTED]
MARC RICH - FUGITIVE (B); ET AL;
CFPO - EXECUTIVE BRANCH;
OO: NY

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On February 15, 2001, the New York Office of the Federal Bureau of Investigation (FBI) opened a preliminary inquiry into the above captioned matter. This investigation is predicated upon information obtained from the United States Attorney's Office, Southern District of New York (SDNY), public record information including newspaper accounts and related media, and public hearings held by the U.S. House of Representatives Government Reform Committee and Senate Judiciary Committee. The facts predicated this preliminary inquiry are set forth below.

On January 20, 2001, former U.S. President, William J. Clinton, in his final day as President, granted a full and unconditional pardon to Marc Rich, a fugitive from the Department of Justice (DOJ). Rich and his partner, Pincus Green (also pardoned on January 20, 2001), were indicted in the SDNY in September 1983 on numerous charges including mail fraud, wire fraud, tax evasion, and racketeering. Shortly after Rich and Green were indicted, the pair fled to Switzerland where they have lived in exile and have remained fugitives. Rich and Green were partners in a commodities business and were also indicted for several counts of illegal trading for business conducted with Iran during the 1980 hostage crisis. Rich and Green were two of 141 individuals who were pardoned by Clinton in his last day as President.

[REDACTED] has been a major political donor to the Democratic Party. These contributions may have been intended to influence the pardon issued to Rich and Green. A review of contributions filed with the Federal Election Commission (FEC) has revealed that from approximately [REDACTED] [REDACTED] donated approximately [REDACTED] in "soft money"

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contributions to the Democratic National Committee (DNC). [REDACTED] of the donations were contributed in the year 2000. FEC records also indicate that [REDACTED] contributed another [REDACTED] to Democratic and Republican committees, and [REDACTED] to the New York State Senatorial joint fundraising campaigns.

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Public records also indicate that [REDACTED] contributed approximately [REDACTED] to the William J. Clinton Presidential Foundation, a foundation that supports the Clinton Presidential Library. Of the [REDACTED] checks were donated [REDACTED] [REDACTED] respectively. Additionally, [REDACTED] personally gifted [REDACTED] valued at approximately [REDACTED] to the former President in the year 2000.

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Pursuant to testimony provided at the aforementioned hearing, it appears that standard DOJ procedures governing the issuance of pardons were not followed. DOJ rules and regulations, codified in the Code of Federal Regulations, require that the pardon attorney at DOJ receive a formal pardon application to commence a pardon investigation. That investigation would include contact with the respective U.S. Attorney's Office and investigative agencies. Based upon the findings of that investigation, a recommendation is made by the pardon attorney to the White House for the President's review and consideration. On February 14, 2001, U.S. Pardon Attorney Roger Adams testified before the Senate Judiciary Committee that with respect to Rich and Green, "none of the regular procedures were followed." Former Deputy Attorney General Eric Holder previously testified on February 8, 2001 at the House Government Reform Committee hearing that he was the only person at DOJ notified of the pardon sought by Rich. Holder was contacted directly by Jack Quinn, Marc Rich's attorney and former Clinton White House Counsel.

The FBI and the SDNY will initially [REDACTED]

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[REDACTED] as it pertains to the investigation. Furthermore, material witnesses will be subpoenaed to testify before the Federal Grand Jury. Interviews of material witnesses will also be conducted.

On February 13, 2001, [REDACTED]

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[REDACTED] SDNY, and Assistant United States Attorney, [REDACTED] [REDACTED] SDNY, advised Special Agents of the New York Office of the